

SB271 ENGROSSED



1 SB271
2 2JE8FIS-2
3 By Senator Givhan (Constitutional Amendment)
4 RFD: State Governmental Affairs
5 First Read: 05-Feb-26



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A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to Section 127 of the Constitution of Alabama of 2022, relating to the Office of Lieutenant Governor; to require the office to be filled by election rather than remain vacant in certain circumstances; and to require any expenditure of legislative funds for travel to be approved by a legislative officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

PART I.

Section 127 of the Constitution of Alabama of 2022, is amended to read as follows:

"Section 127

(a) In case of the governor's removal from office, death or resignation If a vacancy occurs in the office of the governor, the lieutenant governor shall become governor.

(b) If both a vacancy occurs in the office of the governor and the office of the lieutenant governor be removed



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29 ~~from office, die or resign~~ more than ~~sixty~~60 days prior to the
30 next general election, at which any state officers are to be
31 elected, a governor and lieutenant governor shall be elected
32 at such election for the unexpired term, ~~and in the event of~~
33 ~~a vacancy in the office, caused by the removal from office,~~
34 ~~death or resignation of the governor and lieutenant governor,~~
35 ~~pending~~During such vacancy and until their successors shall be
36 elected and qualified, the office of governor shall be held
37 and administered by either the president pro ~~tem~~tempore of
38 the senate, speaker of the house of representatives,
39 attorney-general, state auditor, secretary of state, or state
40 treasurer in the order herein named.

41 (c) In case of the impeachment of the governor, his or
42 her absence from the state for more than twenty days,
43 ~~unsoundness of mind, or other disability~~or incapacity to
44 serve, the power and authority of the office ~~shall~~, until the
45 governor is acquitted, returns to the state, or is ~~restored to~~
46 ~~his mind, or relieved from other disability~~no longer
47 incapacitated, shall devolve in the order herein
48 named, described in subsection (b) upon the lieutenant
49 governor, president pro ~~tem~~tempore of the senate, speaker of
50 the house of representatives, attorney-general, state auditor,
51 secretary of state, and state treasurer. If any of these
52 officers ~~be~~are under any of the disabilities herein
53 specified, the office of the governor shall be administered in
54 the order named by such of these officers as ~~may be~~are free
55 from such disability.

56 (d) If the governor ~~shall be~~is absent from the state



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57 over twenty days, the secretary of state shall notify the
58 lieutenant governor, who shall enter upon the duties of
59 governor; if both the governor and lieutenant governor ~~shall~~
60 ~~be~~ are absent from the state over twenty days, the secretary
61 of state shall notify the president pro ~~tem.~~ tempore of the
62 senate, who shall enter upon the duties of governor, and so
63 on, in case of such absence, he or she shall notify each of
64 the other officers named in ~~their~~ the order of succession
65 herein provided, who shall discharge the duties of the office
66 until the governor or other officer entitled to administer the
67 office in succession to the governor returns.

68 (e) If the governor-elect fail or refuse from any cause
69 to qualify, the lieutenant governor-elect shall qualify and
70 exercise the duties of governor until the governor-elect
71 qualifies. ~~and in the event both~~ If both the governor-elect
72 and the lieutenant governor-elect ~~from any cause for any~~
73 reason fail to qualify, the president pro ~~tem.~~ tempore of the
74 senate, the speaker of the house of representatives, the
75 attorney-general, state auditor, secretary of state, and state
76 treasurer, shall, in like manner, in the order named,
77 administer the office until the governor-elect or lieutenant
78 governor-elect qualifies.

79 (f) If a vacancy occurs in the office of the lieutenant
80 governor more than 60 days before the next general election at
81 which any state officers are to be elected, a lieutenant
82 governor shall be elected at such general election for the
83 unexpired term."

84 PART II.



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85 The following provision is added to the Constitution of
86 Alabama of 2022 to read as follows:

87 Notwithstanding any other provision of the
88 constitution, any expenditure of funds appropriated for use by
89 members of the Legislature for travel shall be approved by an
90 officer of the Legislature elected from the full membership of
91 the respective chamber.

92 Upon ratification of this constitutional amendment, the
93 Code Commissioner shall number and place this amendment as
94 appropriate in the constitution, which may include inserting a
95 provision into an existing section, omitting this
96 instructional paragraph and may make the following
97 nonsubstantive revisions: change capitalization, hierarchy,
98 spelling, and punctuation for purposes of style and
99 uniformity; correct manifest grammatical, clerical, and
100 typographical errors; revise internal or external citations
101 and cross-references; harmonize language; and translate
102 effective dates.

END OF PROPOSED AMENDMENT

103 Section 2. An election upon the proposed amendment
104 shall be held in accordance with Sections 284 and 285 of the
105 Constitution of Alabama of 2022, and the election laws of this
106 state. The appropriate election official shall assign a ballot
107 number for the proposed constitutional amendment on the
108 election ballot and shall set forth the following description
109 of the substance or subject matter of the proposed
110 constitutional amendment:
111

112 "Proposing an amendment to the Constitution of Alabama



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113 of 2022, to provide for the election of a Lieutenant Governor
114 if the Office of Lieutenant Governor becomes vacant during the
115 first two years of a term, and to require any expenditure of
116 legislative funds for travel to be approved by a legislative
117 officer.

118 Proposed by Act ____."

119 This description shall be followed by the following
120 language:

121 "Yes() No()."

122 Section 3. The proposed amendment shall become valid as
123 a part of the Constitution of Alabama of 2022, when approved
124 by a majority of the qualified electors voting thereon.



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127 Senate

128 Read for the first time and referred05-Feb-26
129 to the Senate committee on State
130 Governmental Affairs

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132 Read for the second time and placed12-Feb-26
133 on the calendar:
134 0 amendments

135
136 Read for the third time and passed19-Feb-26
137 as amended
138 Yeas 29
139 Nays 0
140 Abstains 0

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143 Patrick Harris,
144 Secretary.
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